Bench of Supreme Court

1711. SHRI N. DENNIS :

SHRI MULLAPPALLY RAMACHANDRAN:

Will the Minister of LAW AND JUSTICE be pleased to state :

(a) whether the Government examined the feasibility of setting up a bench of Supreme Court in southern States;

(b) whether the Government have any proposal to set up additional benches in important places in the States;

(c) if so, the details thereof, State-wise;

(d) whether any representation for setting up of such a bench has been submitted by the Bar Association, State Governments and other organisations;

(e) if so, the details thereof; and

(f) the response of the Government there-to?

THE MINISTER OF STATE OF THE MINISTRY OF LAW AND JUSTICE (SHRI RAMAKANT D. KHALAP): (a) to (f) Representations have been received from various Bar Associations, State Governments and other Organisations, from time to time, for setting up of Benches of the Supreme Court at various places. According to Article 130 of the Constitution, the Supreme Court shall sit in Delhi or in such other place or places, as the Chief Justice of India may, with the approval of the President, from time to time appoint. As such, the matter was referred to the Chief Justice of India. No proposal has been received from the Chief Justice of India in this regard. No action is contemplated by the Central Government till such a proposal is received.

Improt of Processed Food by European Countries

1712. SHRI AJMEERA CHANDULAL :

SHRIMATI SARADA TADIPARTHI :

Will the Minister of COMMERCE be pleased to state:

(a) whether the European Union Buyers have been purchasing processed Indian food worth crores of rupees every year through U.K.; and

(b) if so, whether any steps have been taken by the Government or the Industry to sell Indian food products directly to European Union Market?

THE MINISTER OF STATE OF THE MINISTRY OF COMMERCE (DR. BOLLA BULLI RAMAIAH) : (a) and (b) Processed food products are being exported to European Union including U.K. Some of the Steps taken to promote exports of processed food products, including to markets in the European Union, are :-

(a) Arranging promotional campaigns in the potential markets and participation in important international fairs and exhibitions.

(b) Organising Buyer-Seller Meets in important Markets.

[Translation]

Privatisation of Coal Sector

1713. SHRI SHATRUGHAN PRASAD SINGH :

DR. A.K. PATEL :

Will the Minister of COAL be pleased to state :

(a) whether the Government have decided to scrap the list of 56 odd coal blocks earlier identified to be offered to private investors for commercial exploitation;

(b) if so, the reasons for scrapping the list;

(c) whether the Government have drawn up any fresh list of coal blocks which could be offered to private and foreign investors;

(d) if so, the details thereof;

(e) whether the Government have accepted the recommendations of the Chari Committee on privatisa-tion of coal sector, which allowed 100% equity participation by private investors and upto 50% by foreign investors for commercial mining;

(f) if so, the names of private and foreign investors who have been permitted for investment in coal blocks and the details of the coal blocks that have been offered to the private sector or foreign companies for exploration; and

(g) the time by which the exploration of coal mines is likely to be started?

THE MINISTER OF STATE OF THE MINISTRY OF COAL (SHRIMATI KANTI SINGH) : (a) No, Sir.

(b) Does not arise in view of the answer to part (a) of the question.

(c) No, Sir.

(d) Does not arise in view of the answer to part (c) of the question.

(e) to (g) The Committee on Integrated Coal Policy did not recommend privatisation of the entire coal sector and therefore the question of the Government taking such a decision does not arise. However, on consideration of the report of the Committee, the Government have taken the following decisions subject to legislative approvals:-

(i) To permit any Indian company to mine coal;

(Ii) Setting up of an Independent Body to monitor detailed and regional exploration of coal and lignite resources

in the country by Indian companies in the private and public sector including the Government organisations; and

(iii) Entrusting the same Independent Body with the responsibility of allocation of new coal and lignite blocks on the basis of a competitive bidding process in which Indian companies in the private and public sector including the nationalised coal companies may participate.

The legislative proposals have not yet been introduced in the Parliament and therefore the process of inviting the competitive bids from the Indian Companies in the private and public sector and allowing foreign investment in the Indian companies for commercial mining of coal and lignite without the existing restriction of captive consumption, have not yet started. The Government have not taken any decision to allow any foreign company to participate in exploration and mining of coal and lignite in the country.

[English]

Protection to Patents

1714. SHRI MAHENDRA SINGH BHATI:
PROF. AJIT KUMAR MEHTA :
SHRI SANAT KUMAR MANDAL :

Will the Minister of COMMERCE be pleased to state :

(a) whether a World Trade Organisation Committee on Disputes Settlement Panel has recently concluded in which the committee observed that the protection provided to patents by India was inadequate;

(b) if so, the details of issues discussed and the outcome thereof; and

(c) the reaction of the Union Government thereto?

THE MINISTER OF STATE OF THE MINISTRY OF COMMERCE (DR. BOLLA BULLI RAMAIAH) : (a) and (b) Under the dispute settlement provisions of the World Trade Organisation (WTO), a panel is currently considering a complaint by the United States of America to the effect that India has not fulfilled its obligations under Article 70.8 and Article 70.9 of the Agreement on Trade Related Aspects of Intellectual Property Rights which envisage that a WTO Member who does not provide patents protection for pharmaceutical and agricultural chemical products, as on the date of entry into force of the WTO Agreement on 1 January, 1995, shall provide a means by which applications for product patents in those fields of technology can be filed and provide exclusive marketing rights subject to fulfilment of certain conditions. The matter is before the Panel and the final Report of the Panel is awaited.

(c) Does not arise.

Section 139 of Income Tax Act

1715. SHRI AYYANNA PATRUDU :
SHRI N. RAMAKRISHNA REDDY :
SHRI K.P. NAIDU :
SHRI L. RAMANA :

Will the Minister of FINANCE be pleased to state:

(a) whether any guidelines have been prepared for filing return of income under section 139 (1) of the Income Tax Act;

(b) if so, the details thereof;

(c) whether there is wide spread apprehension particularly among the retired salaried class that it may become an instrument of harassment at the hands of income tax officers; and

(d) whether the Government propose to issue instructions for not harassing the people filing returns under Section 139 (1) and make adequate propaganda of the places where Income Tax returns are to be submitted, zone-wise?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SATPAL MAHARAJ) : (a) Yes, Sir.

(b) A new simplified Return Form (Form No. 2C) has been devised and issued for those who are required to file return of income under the proviso to section 139 (1) of the Income Tax Act. The instructions for filling up the aforementioned Form, which have been attached to the return, interalia, specify who have to file such a return to which cities the new proviso to section 139(1) is applicable, the last date by which the return should be filed and rates of tax. The guidelines also explain the various steps for filling up the return. These instructions have also been published alongwith the return in all major newspapers in the country.

(c) It is not correct that any apprehension exists among the retired salaried class that it may become an instrument of harassment at the hands of income tax officers.

(d) There will be no harassment to persons who file returns under the proviso to section 139(1). Publicity regarding the places where the returns of income-tax are to be filed is being carried out in each city. Special counters have been opened to receive the returns under this provision and to process the return quickly.

[Translation]

Free Trade Zones

1716. SHRIMATI SHEELA GAUTAM :
SHRI RAMESHWAR PATIDAR :

Will the Minister of COMMERCE be pleased to state :

(a) whether the Government propose to set up Free Trade Zones in view of increase in export from Uttar Pradesh and Madhya Pradesh;

(b) if so, the details thereof and the time by which these zones are likely to be set up; and